

09/24/99
JCS53 U.S. PTO

QFGS File: P/1259-50

JCS53 U.S. PTO
09/405678
09/24/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Fernand Labrie

Date: September 24, 1999

Serial No.:

Filed: Herewith

For: MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR MODULATOR
IN COMBINATION WITH SEX STEROID PRECURSORS

#4A
HKS
11/17/99

Asst. Commissioner of Patents and Trademarks
Washington, DC 20231

REQUEST FOR CONTINUING APPLICATION UNDER 37 C.F.R. 1.53(b)

Sir:

This is a request for the filing of a Division application under the provisions of 37 C.F.R. 1.53(b) of pending application Serial No. 09/096,284, filed June 11, 1998, by Fernand Labrie entitled "MEDICAL USES OF A SELECTIVE ESTROGEN RECEPTOR MODULATOR IN COMBINATION WITH SEX STEROID PRECURSORS." The prior application is hereby incorporated by reference.

Enclosed is a copy of the prior application, including the oath or declaration as originally filed.

I hereby state that the attached papers are a copy of prior application Serial No. 09/096,284, filed June 11, 1998, without any new matter therein.

Cancel in this application original claims 1 and 5-38 of the prior application before calculating the filing fee.

The filing fee is calculated as follows:

BASIC Filing Fee:\$ 760.00

Number of Claims in Excess of 20: ___ x \$18

Number of Independent Claims over 3: ___ x \$78

One or more multiple dependent claims: \$260.....\$ ____

TOTAL FILING FEE:\$ ____

OR:

TOTAL FILING FEE REDUCED 50% FOR SMALL ENTITY\$ 760.00

Check No. 88015 which includes the amount of \$760.00 in payment of the filing fee is enclosed herewith.

The Patent and Trademark Office is hereby authorized to charge any additional

fees or credit any refund, at any time during the prosecution of this application, to Deposit Account No. 15-0700.

Amend the specification by inserting at page 1, line 5, the paragraph:

--This is a division of application Serial No. 09/096,284, filed June 11, 1998.--

This application includes 17 sheets(s) of drawings containing Figures 1-13.

The prior application was assigned to Endorecherche, Inc. is recorded at Reel 9721, Frame 0594.

The power of attorney in the prior application, as originally filed, is to customer no. 2352, OSTROLENK, FABER, GERB & SOFFEN, LLP, 1180 Avenue of the Americas, New York, New York 10036-8403, and the members of the firm: Reg. No. 17,542; Samuel H. Weiner, Reg. No. 18,510; Jerome M. Berliner, Reg. No. 18,653; Robert C. Faber, Reg. No. 24,322; Edward A. Meilman, Reg. No. 24,735; Stanley H. Lieberstein, Reg. No. 22,400; Steven I. Weisburd, Reg. No. 27,409; Max Moskowitz, Reg. No. 30,576; Stephen A. Soffen, Reg. No. 31,063; James A. Finder, Reg. No. 30,173; William O. Gray, III, Reg. No. 30,944; Louis C. Dujmich, Reg. No. 30,625, and Douglas A. Miro, Reg. No. 31,643, as attorneys with full power of substitution and revocation to prosecute this application, to transact all business in the Patent and Trademark Office in connection therewith and to receive all correspondence. The Power appears in the original papers in the prior application.

SEND CORRESPONDENCE TO: DIRECT TELEPHONE CALLS TO:

OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403 (212) 382-0700
Customer No. 2352

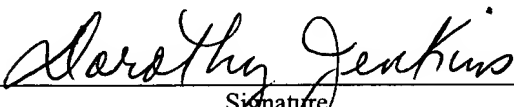
EXPRESS MAIL CERTIFICATE

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee (mail label #TB747973347) in an envelope addressed to: Asst. Commissioner of Patents and Trademarks, Washington, D.C. 20231, on September 24, 1999:

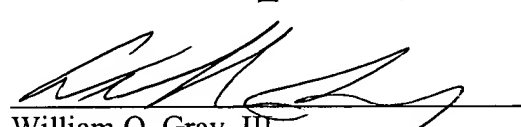
DOROTHY JENKINS

Name of Person Mailing Correspondence



Signature
September 24, 1999

Date of Signature


William O. Gray, III
Registration No.: 30,944
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700
WOG:jg